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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	6121:019
First Inventor	Peter H. Bartels
Title	Diagnostic Scanning Microscope for Information...
Express Mail Label No.	EV 216212771 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages 40]
(Indicate arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 21]
5. Oath or Declaration [Total Pages 2]
- a. Newly executed (original or copy)
Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
- b.
- c. **DELETION OF INVENTOR(S)**
Signed statement attached deleting Inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP).

of prior application No. _____

Group Art Unit _____

Prior application information:

Examiner: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label				<input type="checkbox"/> Correspondence address below	
Name	Antonio R. Durando			PATENT TRADEMARK OFFICE	
Address	Durando Birdwell & Janke, PLC 2929 E. Broadway Blvd.				
City	Tucson	State	AZ	Zip Code	85716
Country	US	Telephone	520-881-9442	Fax	520-881-9448
Name (Print/Type)	Antonio R. Durando			Registration No. (Attorney/Agent)	28,409
Signature				Date	24 June 03

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

19972 U.S. PTO
10/602756
06/24/03

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FEE TRANSMITTAL

for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 563.00)

Compleat If Known

Application Number	
Filing Date	
First Named Inventor	Peter H. Bartels
Examiner Name	
Art Unit	
Attorney Docket No.	6121.019

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

04-1935

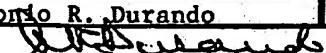
Antonio R. Durando

The Commissioner is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments Charge any additional fee(s) during the pendency of this application Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
		Fee Code (\$)	Fee Code (\$)
1051 750	2001 375	Utility filing fee	375
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)		375	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE			
Fee from below			
Total Claims 22	-20** = 2	x 9 = 18	
Independent Claims 2	-3** = 0	x 42 = 0	
Multiple Dependent			
SUBTOTAL (2) (\$)		18	
*or number previously paid, if greater. For Reissues, see above			
3. SUBMITTED BY (Complete if applicable)			
Name (Print/Type)	Antonio R. Durando	Registration No. (Attorney/Agent)	28,409
Signature		Telephone	520-881-9442
		Date	6/24/03

WARNING: Information in this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

100-2101-1
10760256
06/24/03

CASE DOCKET NO.: 6121.019

APPLICANT(S): Peter H. Bartels

APPLICATION TITLE: "Diagnostic Scanning Microscope for Information-Enriched Qualitative Histopathology"

CERTIFICATE OF MAILING

I hereby certify that the items listed below are being deposited with the United States Postal Service utilizing the "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service, mailing label number EV 216212771 US, under 37 CFR 1.10 in an envelope addressed to: MAIL STOP PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 24th day of June, 2003.

Kathleen C. Tennant

Kathleen C. Tennant

Enclosed are:

- Itemized return postcard
- A check in the amount of \$563 to cover the filing fee, recordation fee, and petition fee.
- Provisional Application for Patent Cover Sheet
- Utility Patent Application Transmittal sheet
- Fee Transmittal sheet (in duplicate)
- Declaration for Utility or Design Patent Application
- A specification of the invention and claims.
- Power of Attorney or Authorization of Agent
- Statement Under 37 CFR 3.73(b)
- Assignment Agreement and Recordation Cover Sheet
- Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i)
- 21 sheets of drawings.
- photographs submitted as informal drawings for reference purposes only.
- Information Disclosure Statement
- Copies of prior art
- Petition Under 37 CFR 1.84(2) to File with Color Drawings (including 3 sets each of Fig. 26 and Fig. 29 in color and 1 black and white sheet of Fig. 26 and Fig. 29)
- Copy of priority document

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: PETER H. BARTELS

DOCKET NO.: 6121.019

SERIAL NO.:

EXAMINER:

FILED:

ART UNIT:

TITLE: DIAGNOSTIC SCANNING MICROSCOPE FOR INFORMATION-ENRICHED
QUALITATIVE HISTOPATHOLOGY

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Antonio R. Durando
Durando Birdwell & Janke, PLC
2929 E. Broadway Blvd.
Tucson, AZ 85716
520-881-9442

CERTIFICATE OF MAILING

I hereby certify that on this 24st day of June,
2003, this correspondence is being deposited with the U.S. Postal
Service as first class mail in an envelope addressed to: Mail
Stop Patent Application, Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450.

By

Kathleen C. Tennant
Kathleen C. Tennant

TO THE COMMISSIONER FOR PATENTS

PETITION UNDER 37 CFR 1.84(2) TO FILE WITH COLOR DRAWINGS

Dear Sir:

This is a Petition is submitted under 37 CFR 1.84(2) for
permission to file the attached patent application with two color
drawings. The following items are included:

06/26/2003 SIZENDIEI 00000076 10602756

03 FC:1460

130.00 DP

- A check in the amount of \$130.00 to cover the fee required by Paragraph 1.17(h);
- Three sets of each color drawing; and
- A black and white photocopy that accurately depicts, to the extent possible, the subject matter shown in the color drawings.

The specification of the invention contains the required language preceding the description of the drawings.

The essence of the invention to which these drawings pertain lies in the idea of enhancing microscope images used for medical diagnostic purposes in such a way as to render visible features that are not otherwise visually perceptible. These image enhancements are achieved in part by adding color to portions of the image where these features lie. Accordingly, the only way to illustrate this aspect of the invention is by showing sets of before-and-after color pictures of the same image. Black and white reproductions do not show visible distinctions and, therefore, do not serve the purpose of illustrating the invention.

In view of the foregoing, the applicant respectfully requests that he be allowed to submit color drawings with his patent application.

As noted above, a check for \$130 is attached to cover the

required fee. Please charge any other cost that may be
associated with this transmittal to our Deposit Account No. 04-
1935.

Respectfully submitted,



Antonio R. Durando
Reg. No. 28,409

(520) 881-9442 Telephone
(520) 881-9448 Fax